

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ALAN SALDANA, on behalf of himself and
others similarly situated,

Plaintiffs,

vs.

SANOFI-AVENTIS U.S., INC.,

Defendant.

Case No: C 10-4672 SBA

ORDER

Docket 39 and 41

CAROL ENGLE and DAVE JOHNSON,
on behalf of themselves and all others
similarly situated,

Plaintiffs,

vs.

SANOFI-AVENTIS U.S. INC., a
Corporation, and DOES 1-10,

Defendants.

Case No: C 10-4141 SBA

ORDER

The parties have submitted a stipulation to consolidate the above-referenced actions for all purposes under Federal Rule of Civil Procedure 42(a) (Dkt. 39) and a stipulation to stay pending resolution of various appeals (Dkt. 41). The actions pending decision referenced in the request for stay are the appeals in Menes v. Roche, No. 08-55286 (9th Cir.), D'Este v. Bayer, No. 07-56577 (9th Cir.), Barnick v. Wyeth, No. 07-56684 (9th Cir.), Delgado v. Ortho-McNeil, Inc., No. 09-55225 (9th Cir.), Yacoubian v. Ortho-McNeil Pharmaceutical Inc., No. 09-55229 (9th Cir.) and In Re Novartis Wage and Hour Litigation, 611 F.3d 141 (2d Cir. 2010), petition for cert. filed, (U.S. October 4, 2010) (No. 10-460).

On February 2, 2011, the Court held a Case Management Conference with all parties present. During the proceeding, all parties stipulated to having the above-actions stayed

1 and administratively closed until such time as the Court receives a request to reopen. The
2 parties acknowledged their understanding that the administrative closure does not constitute
3 a dismissal of the actions. Good cause appearing,

4 IT IS HEREBY ORDERED THAT:

5 1. The following cases are hereby CONSOLIDATED for all purposes: Saldana
6 v. Sanofi-Aventis U.S., Inc., Case No. C 10-4672 SBA and Engle v. Sanofi-Aventis U.S.
7 Inc., Case No. C 10-4141 SBA. All further filings in the instant consolidated action shall
8 be filed in Case No. 10-4141 SBA, and shall have the following caption: In Re Sanofi-
9 Aventis U.S. Inc. Wage and Hour Litigation.

10 2. The instant consolidated action is STAYED and ADMINISTRATIVELY
11 CLOSED pending further order of the Court. The parties shall file a joint status report
12 every six months, beginning August 1, 2011, to advise the Court regarding the status of the
13 above-referenced appeals. Failure to file the required reports may result in the imposition
14 of sanctions, up to and including dismissal of the action. Upon resolution of the appeals or
15 at such time as the parties agree that the stay should be lifted and the consolidated case
16 returned the Court's active civil docket, the parties shall jointly submit a stipulation and
17 proposed order requesting the Court to reopen the case, vacate the stay and schedule a Case
18 Management Conference.

19 3. This order shall be filed in Saldana v. Sanofi-Aventis U.S., Inc., Case No.
20 C 10-4672 SBA and Engle v. Sanofi-Aventis U.S. Inc., Case No. C 10-4141 SBA.

21 IT IS SO ORDERED.

22 Dated: February 3, 2011


SAUNDRA BROWN ARMSTRONG
United States District Judge